

10/526972

DT01 Rec'd PCT/PTC 07 MAR 2005

MAIL STOP PCT

Attorney Docket: 26638U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BRATTSTROEM

International Application Number: PCT/CH2004/000405

Serial Number: NOT YET ASSIGNED

International Filing Date: 28 June 2004 (28.06.2004)

Filed: March 7, 2005

For: PLANT EXTRACTION METHOD AND EXTRACT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
[] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
[] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- [] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113,

or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and

☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

☐ g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

☐ Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier

application is identified as:

or

[~~xxx~~] Copies of US Patents/Publications not attached
as allowed in Official Gazette Aug. 5, 2003/
Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: March 7, 2005

NATH & ASSOCIATES PLLC

1030th Street, N.W., 6th Floor
Washington, D.C. 20005-1503
(202) 775-8383
GMN/TEH/le

By: 

Gary M. Nath
Registration Number 26,965
Tanya E. Harkins
Registration Number 52,993
Customer Number 20529

FORM PTO-1449 INFORMATION DISCLOSURE CITATION	Attorney Docket: 26638U	Serial Number: Not Yet Assigned 10/52697?
	Inventor: BRATTSTROEM	Filing Date: March 7, 2005
	Group Art Unit: Unknown	International Application Number: PCT/CH2004/000405
		International Filing Date: 28 June 2004

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	A1 6,267,994 B1	31 Jul. 2001	Nesselhut, et al.			14 Aug. 1998
	A2 2004/0067263 A1	08 Apr. 2004	Liu, et al.			16 Jan. 2002
	A3 2003/0054050 A1	20 Mar. 2003	Wolfson, et al.			17 Sep. 2002
	A4 4,985,247	15 Jan. 1991	Liu			21 Aug. 1989

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub-Class	Translation
	A5 09030977	04 Feb. 1997	JP			Abstract
	A6 1 407 679 A1	14 Apr. 2004	EP			N/A
	A7 03/037096 A1	08 May 2003	WO			N/A
	A8 02/67962 A1	06 Sep. 2002	WO			Abstract
	A9 02/30436 A1	18 Apr. 2002	WO			Abstract
	A10 0 324 197 A1	19 Jul. 1989	EP			N/A
	A11 01/05415 A2	25 Jan. 2001	WO			N/A

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

A12	Borrelli, F., et al., "Cimicifuga racemosa: a systematic review of its clinical efficacy", <u>Eur J Clin Pharmacol</u> , Vol. 58, Pp. 235-241, (2002).
A13	Database WPI, Section Ch, Week 198411, "Tri:terpene glycoside for inhibiting peptic ulcer - isolated from black cohosh", Derwent Publications, Ltd., London, GB.
A14	Zheng, Q.Y., et al., "Chapter 33: CimiPure (<i>Cimicifuga racemosa</i>): A Standaradized Black Cohash Extract with Novel Triterpene Glycoside for Menopausal Women", <u>Phytochemicals and Phytopharmaceuticals</u> , Pp. 360-370, (2000).
A15	Liske, E., "Therapeutic Efficacy and Safety of <i>Cimicifuga racemosa</i> for Gynecologic Disorders", <u>Advances in Therapy</u> , Vol. 15, No. 1, Pp. 45-53, (1998).

Examiner	Date Considered
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.